

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

ROBERT STEVEN CONNOLLY, II,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-21-26-SLP
)	
TURN KEY HEALTH, et al.,)	
)	
Defendants.)	

ORDER

Before the Court is the Report and Recommendation of United States Magistrate Judge Suzanne Mitchell entered April 23, 2021 [Doc. No. 15] (R&R). Judge Mitchell advised Plaintiff of his right to object to the R&R and directed any objections be filed on or before May 14, 2021. Judge Mitchell further advised Plaintiff that any failure to object would waive Plaintiff's right to appellate review of the factual and legal issues addressed in the R&R. Plaintiff has neither filed an objection nor sought an extension of time in which to do so.


IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 15] is ADOPTED in its entirety and the following claims are DISMISSED WITHOUT PREJUDICE:

1. Plaintiff's official capacity claim that Defendant Malichi-LNU committed "malpractice" by conducting medical visits over video;
2. Plaintiff's official capacity claim that he did not receive "competent care for a valid medical issue" due to Nurse Casey-LNU terminating his soft-food diet; and

3. Plaintiff's official capacity claim that he is being "deprived of sunlight, fresh air and recreation time," in violation of "basic human rights."

The Court retains Plaintiff's claim that he is "unable to proactively research case law to help build [his] defense" due to lack of library access.

IT IS SO ORDERED this 26th day of May, 2021.



SCOTT L. PALK
UNITED STATES DISTRICT JUDGE